



# 3

Patent  
Q041

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**IN RE APPLICATION OF:  
HIRSCHBERG****SERIAL NO. : 09/750,832****FILED: DEC. 28, 2000****FOR: AN IMPLANTABLE  
INTRACRANIAL PHOTO  
APPLICATOR FOR LONG TERM  
FRACTIONATED PHOTODYNAMIC  
AND RADIATION THERAPY IN THE  
BRAIN AND METHOD OF USING  
THE SAME****Examiner: unassigned****Group Art Unit: unassigned****REQUEST FOR EXTENSION OF TIME  
TO RESPOND TO NOTICE OF MISSING PARTS  
AND RESPONSE TO SAME  
37 CFR 1.53(B); 1.136(A)**

Hon. Commissioner of Patents and Trademarks  
Washington DC 20231

Sir:

In reply to the Notice of Missing Parts mailed Feb. 16, 2001, please grant  
an extension of time of one month to respond, namely to May 16, 2001.

Enclosed is a check for the appropriate small entity fee for extension and for a  
late filing fee of declaration. Please charge our deposit account 01-1960 for any  
deficit or to credit any surplus.

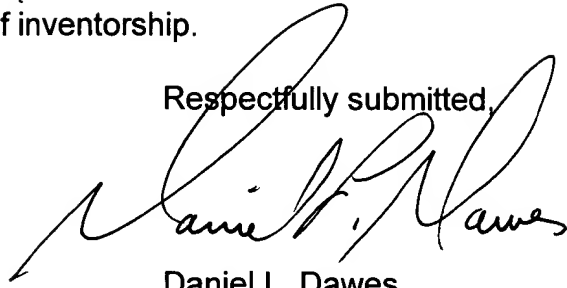
05/23/2001 RNDHAFM1 00000069 09750832

02 FC:215

55.00 OP

Enclosed are the late declarations of inventorship.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel L. Dawes", written over the typed name.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/750,832	12/28/2000	Henry Hirschberg	Q041

CONFIRMATION NO. 8673

## FORMALITIES LETTER



\*OC000000005775498\*

Daniel L. Dawes  
MYERS, DAWES & ANDRAS LLP  
650 Town Center Drive, Suite 650  
Costa Mesa, CA 92626

Date Mailed: 02/16/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/23/2001 HROHAMM1 00000069 09750832

01 FC:205

65.00 DP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice MUST be returned with the reply.*

*Finash Retha*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

ai Sector #3

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): UC- Hischberg et. al.

Docket No.

Q041

Serial No.  
09/750832

Filing Date  
12/28/00

Examiner

Group Art Unit

Invention

AN IMPLANTABLE INTRACRANIAL PHOTO APPLICATOR FOR LONG TERM FRACIONATED  
PHOTODYNAMIC AND RADIATION THERAPY INTHE BRAIN AND METHOD OF USING THE SAME`

I hereby certify that this Request for Extension of Time to Respond to Notice of Missing Parts and....  
(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The

Assistant Commissioner for Patents, Washington, D.C. 20231 on 5/16/01  
(Date)

Bernadette M. Castro

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

**Note: Each paper must have its own certificate of mailing.**